Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 www.uspto.gov

TRI-KOR ALLOYS, LLC 3060 WASHINGTON RD. RTE. 97 SUITE 255 GLENWOOD MD 21738

MAILED

DEC 07 2011

In re Patent No. 6627012 Issue Date: 09/30/2003

Application No. 09/681076

Filed: 12/22/2000

Title: METHOD FOR PRODUCING LIGHTWEIGHT ALLOY STOCK FOR

**GUN FRAMES** 

OFFICE OF PETITIONS

**DECISION ON PETITION** 

This is in response to the PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c)), filed November 21, 2011.

The patent issued September 30, 2003. The grace period for paying the 7.5-year maintenance fee expired on October 1, 2011.

The Director may accept the payment of any maintenance fee due on a patent after expiration of the patent if, upon petition, the delay in payment of the maintenance fee is shown to the satisfaction of the Director to have been unintentional and if the surcharge required by § 1.20(i) is paid as a condition of accepting payment of the maintenance fee. 37 CFR 1.378(a).

A grantable petition to accept an unintentionally delayed payment of a maintenance fee pursuant to 37 CFR 1.378(c) must be filed within twenty-four months after the six-month grace period provided in § 1.362(e) and include:

- (1) The required maintenance fee set forth in § 1.20 (e) through (g);
- (2) The surcharge set forth in § 1.20(i)(2); and
- (3) A statement that the delay in payment of the maintenance fee was unintentional.

The Office notes that the present petition was signed by only one of the patentees, Lawrence Kramer. Pursuant to 37 CFR 1.378(d): "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee(s), the assignee, or other party in interest." As Mr. Kramer is not an attorney or agent registered to practice before the USPTO, the petition must be signed by either both patentees, WM. Troy Tack and Lawrence Kramer, or the assignee. If Mr. Kramer is acting on behalf of the assignee, he must submit a Statement under 37 CFR 3.73(b). A copy of the appropriate form is enclosed.

Accordingly, the petition will not be treated on the merits until petitioner submits a "renewed" petition under 37 CFR 1.378(c), signed by a person(s) having authority to act (e.g., either both patentees or the assignee accompanied by a Statement under 37 CFR 3.73(b)). Thus, the petition is dismissed.

Further correspondence with respect to this matter should be addressed as follows:

By mail:

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

By fax:

(571) 273-8300

ATTN: Office of Petitions

By hand:

Customer Service Window

Randolph Building 401 Dulany Street Alexandria, VA 22314

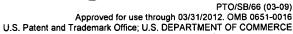
Correspondence may also be submitted electronically via EFS-Web.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3211.

C. L. Donnell

Christina Tartera Donnell Senior Petitions Attorney Office of Petitions

Enclosures (2)



Under the Paneoust Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMR control number

PETITION TO AC	<del></del>	re required to respond to a collection of information unity  Y DELAYED PAYMENT OF  ENT (37 CFR 1.378 (c))	Docket Number (Optional)
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NOTE: If inform	nation or assistance is needed in co	mpleting this form, please contact Petitions	s Information at (571) 272-3282.
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	resulted from the entry into the U	l.S. under 35 U.S.C. 371 of international ap	plication
-	CERTIFICATI	E OF MAILING (37 CFR 1.89(a))	
United States Pos Mail Stop Petition	at this paper (*along with any paper i stal Service on the date shown below	referred to as being attached or enclosed) with sufficient postage as first class main x 1450, Alexandria, VA 22313-1450, or fac	in an envelope addressed to
	Date	Signature	

[page 1 of 3]

Typed or Printed Name of Person Signing Certificate

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450** 

PTO/SB/66 (03-09)
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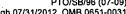
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8	STATEMENT							
·	The delay in payment of the maintenance fee to	this patent was unintentional.						
. 9	PETITIONER(S) REQUEST THAT THE DELAYED PA PATENT REINSTATED	YMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE						
	Signature(s) of Petitioner(s)	Date						
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## **Privacy Act Statement**

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- 1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
- 2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
- 9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



PTO/SB/96 (07-09)

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			STATEME	NT UNDER	37 CFR 3.7	<u>3(b)</u>		
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  opposing counsel in the course of settlement negotiations.
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